HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1202 (S/S) 2005

Smt. Ravimala W/o Sri Sewa Ram,
R/o Hanuman Mandir Colony Gumaniwala,
P.O. Veer Bhardra, District Dehradun,
Presently working in Primary School, Simswad,
Deoprayag, Tehri Garhwal. ----Petitioner.

Vs.

1. State of Uttaranchal, through,
   Secretary Education, Dehradun,
2. Director of Education, (Primary),
   Uttaranchal,
3. Basic Zila Shiksha Adhikari,
   New Tehri, Tehri Garhwal. ----Respondents.

Sri Tanuj Semwal, learned counsel for the petitioner.
Learned Standing Counsel for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Tanuj Semwal, learned counsel for the petitioner and learned Standing Counsel who has accepted notice for the respondents.

By means of this writ petition, the petitioner who is a Assistant Teacher in Primary School has challenged the order dated 04.08.2005 passed by the District Education Officer, Tehri Garhwal Narendra Nagar transferring the petitioner from Primary School Simswad, Deoprayag to Primary School Pausada, Deoprayag district Tehri Garhwal.

The transfer order has been passed on the ground that in Primary School Simswad, at present there are more teachers working than the sanctioned standard.

The petitioner in para-7 of the writ petition has submitted that there were three teachers including the petitioner in Primary School, Simswad and the strength of the students in the School was 85 whereas; the strength of the students in

Primary School, Pausada is only 25 and by transferring the petitioner to the Primary School, Pausada, the number of teachers have become three.

The petitioner has submitted that she has already made a representation to the Basic Shiksha Adhikari, Tehri Garhwal and the competent authority may be directed to decide her representation at the earliest.

The prayer is innocuous.

Accordingly, the petitioner is directed to make representation to the District Education Officer, Tehri Garhwal Narendra Nagar within ten days from today stating therein that the strength of the students in Primary School Simswad is 85 whereas; the strength of the students in Primary School, Pausada is only 25. The District Education Officer after considering the relevant facts as mentioned above shall take decision on the representation of the petitioner within two weeks from the date of receipt of the representation. Till the decision is taken on the representation, the petitioner shall not be relieved from Primary School, Simswad provided she has already not been relieved from Primary School, Simswad.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

August 24, 2005:
NCM: